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1761

DORIS LORRAINE FOODS

Makers of "Peanut Butter Batter"
Doris Lorraine Buck, President/CEO

Keith D. Hendricks, Examiner
United States Patent & Trademark Office
Commission for Patents
P.O. Box 1450
Richmond, Virginia 22313-1450

May 3, 2004

Re: Application No. 10/081,683
Cover Letter

Dear Keith:

As suggested during our telephone conversation of April 14, 2004 re my Patent Application No. 10/081,683, for my "Peanut Butter Batter" Pancake Mix, enclosed please find the reconstructed or amended Claims 1-5 as discussed.

I hope this fulfills all the necessary requirements as outlined. Otherwise, please advise as to any changes.

Many thanks in advance for your expert assistance and cooperation.

Sincerely,

Doris Lorraine Buck



Application # 10/081,683
Art Unit: 1761

Page # 1

Interview Summary

A)	Application No.	<u>10/081,683</u>
B)	Applicant	<u>Doris Lorraine Buck</u>
C)	Examiner	<u>Keith Hendricks</u>
D)	Art Unit	<u>1761</u>
E)	Date of Interview:	<u>April 14, 2004</u>
F)	Type of Interview:	<u>Telephonic</u>
G)	All participants (applicant, examiner, other)	
	(1) <u>Doris Lorraine Buck, Inventor</u>	(3) <u>Charles Ross</u>
	(2) <u>Keith Hendricks, Examiner</u>	
H)	Exhibit shown or demonstration conducted:	<u>No.</u>
I)	Identification of prior art discussed:	<u>of record.</u>
J)	Agreement with respect to the claims discussed: (1-5 Claims rejected as written prior) (see attached: 1-5 Claims as rewritten)	<u>all pending.</u>
K)	Signature of the examiner: (see attached Form PTOL-413)	

Substance of Interview Items

- 1) Brief description of any exhibit shown or demonstration conducted: N/A
- 2) Identification of claims discussed: see page # 4 re Claims
- 3) Identification of the specific art discussed: of record
- 4) Identification of proposed amendments: see page # 4 re Claims
see page # 5 re Abstract
- 5) Brief identification of principal arguments presented to examiner: see page # 6 re History
- 6) General description of other matters discussed: see pages # 7 & 8 re References cited
- 7) General results of interview: see page # 2 re Continuing Summary

Interview Summary

Application No.

10/081,683

Applicant(s)

BUCK, DORIS LORRAINE

Examiner

Keith Hendricks

Art Unit

1761

All participants (applicant, applicant's representative, PTO personnel):

(1) Keith Hendricks.(3) Charles Ross.(2) Doris Lorraine Buck (inventor).

(4) _____.

Date of Interview: 14 April 2004.Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]Exhibit shown or demonstration conducted: d) Yes e) No.

If Yes, brief description: _____.

Claim(s) discussed: all pending.Identification of prior art discussed: of record.Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet ~~(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)~~~~THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.~~

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuing Interview Summary

As discussed during our telephone interview of April 14, 2004, I am requesting the original Claims 1-5 be amended and resubmitted to conform to accepted US Patent practice. (Please see Claims Page 4).

Also discussed during the same telephone conversation was amending the Abstract to conform to accepted US Patent practice. (Please see Abstract Page 5).

Contents:

Application Number (Series Code and Series Number)

Name of Applicant

Name of Examiner

Date of Interview

Type of Interview:

Name of participants (applicant, examiner, other)

An indication whether or not an exhibit was shown or a demonstration conducted)

An identification of the specific prior art discussed

An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.

The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action).

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) a brief description of the nature of any exhibit shown or any demonstration conducted.
- 2) an identification of the claims discussed.
- 3) an identification of the specific art discussed.
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the examiner.
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner.
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner)
- 6) a general description of any other pertinent matters discussed and
- 7) if applicable, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

CLAIMS: Non-Provisional Patent 10/081,683

What I claim as my invention is:

Claim 1: A peanut butter batter pancake mix, which comprises:

(a) a combination of peanut ingredients comprising peanut flour, peanut butter, peanut chunks, peanut oil and peanut extract oil and
(b) a flour-based pancake mixture.

Claim 2: A method of using the peanut butter batter pancake mix of Claim 1, comprising of forming doughnuts, waffles, and crepes with the peanut butter batter pancake mix as a base.

Claim 3: A method of using the peanut butter batter pancake mix of Claim 1, comprising of forming a bread with peanut butter batter pancake mix as a base.

Claim 4: A method of using the peanut butter batter pancake mix of Claim 1, comprising of coating for meats, fish, and poultry with peanut butter batter pancake mix as a base.

Claim 5: A method of using the peanut butter batter pancake mix of Claim 1, comprising of thickening soups, sauces, and dressings.

Non-Provisional Utility Patent 10/081,683

ABSTRACT
(In compliance with 37CFR 1.72 (b))

“Peanut Butter Batter” Pancake Mix
by Doris Lorraine Foods

A method of using peanut products in conjunction with a pancake mix, in a unique way (via peanut flour, peanut butter, peanut chunks, peanut oil and peanut essence) to create a nutritious, aromatic, new food product. This is accomplished by mixing all of these ingredients with water, milk, buttermilk and/or club soda to provide a batter, spooning small amounts onto a heated griddle for cooking, which produces the final product of tender, fluffy, and peanut crunchy inside, crispy on the outside, pancakes. The product freezes well and can be eaten cold or subsequently reheated for consumption.

Signed: Doris Lorraine Buck
Doris Lorraine Buck

Date: April 25, 2004



Application # 10/081,683
Art Unit: 1761

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HISTORY:

Several years ago, I Doris Lorraine Buck, and my husband Charles Ross, were discussing the nutritional merits and values, aromas and attractiveness of available foods for human consumption, particularly for children.

The number one item that consistently emerged was a combination of pancake mix integrated with peanut ingredients such as peanut flour, peanut butter, peanut chunks, peanut oil and peanut extract. We decided to investigate further to determine whether there was a market for such a product, and tentatively named it "Peanut Butter Batter" Pancake Mix. We instigated a comprehensive search of food manufacturing companies, grocery stores, restaurants, etc. such companies as Kellogg's, Quaker Oats, General Mills, Post, and RJR. We looked for similarities and found nothing! On the consumer level our investigation continued with major supermarket chains as Kroger's, Safeway, Ralph's, Albertson's, Von's, Wal-Mart etc., and still nothing. We decided to proceed and formed Doris Lorraine Foods in order to market this exciting new product.

A formula was developed and approved by professional food technicians, sample bags printed and we decided on a market testing procedure and selected Trader Joe's for the move. They agreed. After kitchen testing the product, examining the bag and its contents, the testing took place. It was successful, including shelf life and consumer acceptance. No advertising was used. We also conducted a restaurant test and used only table-top tent cards. This was also a success.

All the important elements were in place; an excellent, nutritional, exclusive product with strong aroma and good peanut taste, and accepted by the consumer.

In the year 2001 we applied for a Provisional Patent, and within the ensuing year applied for a Utility Patent. At which point we are now.

Plus the above process, my field of research has included the following Cross References to Related Applications: 624/632, 545,446, 633,784, 09/511, 058 and 426-632. These have addressed single segments of peanuts, but not all together, which is new, as in my process.

We feel that our "Peanut Butter Batter" Pancake Mix meets all the criteria of being an exclusive, necessary, valued and acceptable food product, and to be extremely worthy of your approval to be awarded a much desired Utility Patent.

Notice of References Cited		Application/Control No.	Applicant(s)/Patent Under Reexamination BUCK, DORIS LORRAINE	
		Examiner Keith Hendricks	Art Unit 1761	Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,057,654	11-1977	Smith, Walton J.	426/555
	B	US-3,947,599	03-1976	Mitchell, Jr., Jack H.	426/250
	C	US-6,312,754 B1	11-2001	Wong, Vincent York-Leung	426/633
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	612,887	01-1961	Canada	Avera, F.	---
	O	27,554	08-1898	Great Britain	Watson, E.	---
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	http://www.universalblanchers.com/pages/extracts ; "Peanut Oils and Extracts", page created Dec. 04, 2001.
	V	http://www.universalblanchers.com/pages/granulation ; "Peanut Granulation and Chopped Peanuts", page created Dec. 04, 2001.
	W	http://www.nps.gov/gwca/expanded/peanut.htm ; "List of By-Products from Peanuts by George Washington Carver", as compiled by the Carver Museum. Date N/A.
	X	Payne, D. "Peanut Flour: Its Development, Manufacture and Utilization"; The Bakers Digest; Presented to the ACS on April 20-23, 1942. Pages 285-286.

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



Notice of References Cited	Application/Control No.	Applicant(s)/Patent Under Reexamination	
	10/081,683	BUCK, DORIS LORRAINE	
	Examiner	Art Unit	Page 2 of 2
	Keith Hendricks	1761	

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	"Peanuts for Shortening in Bakery Products", The Peanut Journal and Nut World, page 14, author unknown; August 1943.
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.